

1 **STATE OF CALIFORNIA**
2 **ENVIRONMENTAL PROTECTION AGENCY**
3 **DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

4 In the Matter of:

5 OFFICE OF STATE PRINTING
6 DEPARTMENT OF GENERAL SERVICES
7 344 N. 7th Street
8 Sacramento, California 95814

9 EPA ID No. CAD981989551,
10 Respondent.

Docket HWCA 97/98-1002

CONSENT ORDER

Health and Safety Code
Section 25187

11 The State Department of Toxic Substances Control (Department) and Office of
12 State Printing, Department of General Services (Respondent) enter into this Consent Order and
13 agree as follows:

- 14 1. Respondent generates, handles, treats, and/or stores hazardous waste at
15 344 N. 7th Street, Sacramento, California (Site).
- 16 2. DTSC inspected the Site on June 11 and June 12, 1996. DTSC again inspected
17 the Site on June 24, 1999.
- 18 3. The Department alleges the following violations:
- 19 3.1. On or about June 11, 1996, Respondent violated Title 22, California Code
20 of Regulations (Cal. Code Regs.), section 66265.31 by storing containers of unsegregated
21 hazardous waste in the northwest corner of Respondent's property;
- 22 3.2. On or about June 11, 1996, Respondent violated Title 22, Cal. Code
23 Regs., section 66261.7 by storing inadequately emptied containers of hazardous waste and not
24 managing these containers as hazardous waste containers;
- 25 3.3. On or about June 11, 1996, Respondent violated Title 22, Cal. Code
26 Regs., section 66265.171 by failing to transfer hazardous waste from a leaking box to a container
27 in good condition;

1 3.4. On or about June 11, 1996, Respondent violated Title 22, Cal. Code
2 Regs., section 66265.35 by failing to maintain adequate aisle space to allow the unobstructed
3 movement of personnel, fire equipment, spill control equipment, and decontamination equipment
4 in the mixing area and the waste oil area in the case of emergency;

5 3.5. On or about June 11, 1996, Respondent violated Title 22, Cal. Code
6 Regs., section 66265.52 by failing to include the current telephone number of the current
7 emergency number of the emergency coordinator in Respondent's contingency plan;

8 3.6. On or about June 11, 1996, Respondent violated Title 22, Cal. Code
9 Regs., section 66265.173(a) by storing open containers of hazardous waste; and,

10 3.7. On or about June 24, 1999, Respondent violated HSC section 25189.2(c)
11 by disposing of hazardous waste at an unauthorized point.

12 4. A dispute exists regarding the alleged violations.

13 5. The parties wish to avoid the expense of litigation and to ensure prompt
14 compliance.

15 6. Jurisdiction exists pursuant to HSC section 25187.

16 7. Respondent waives any right to a hearing in this matter.

17 8. This Consent Order shall constitute full settlement of the violations alleged
18 above, but does not limit the Department from taking appropriate enforcement action concerning
19 other violations.

20 9. Respondent does not admit the violations alleged above, except Respondent
21 does admit to the facts of the alleged violations above for the purposes of any subsequent action
22 brought pursuant to the Hazardous Waste Control Law, HSC section 25100 et seq., within 5
23 years of the violations.

24 10.1. Respondent has returned to compliance for all listed violations.

25 10.2. Liability: Nothing in this Consent Order shall constitute or be construed as
26 a satisfaction or release from liability for any conditions or claims arising as a result of past,
27 current, or future operations of Respondent, except as provided in this Consent Order.

1 Notwithstanding compliance with the term of this Consent Order, Respondent may be required
2 to take further actions as are necessary to protect public health or welfare or the environment.

3 10.3. Additional Enforcement Actions: By agreeing to this Consent Order, the
4 Department does not waive the right to take further enforcement actions, except to the extent
5 provided in this Consent Order.

6 10.4. Parties Bound: This Consent Order shall apply to and be binding upon
7 Respondent and any successor agency that and upon the Department and any successor agency
8 that may have responsibility for and jurisdiction over the subject matter of this Consent Order.

9 PAYMENTS

10 11. Within 30 days of the effective date of this Consent Order, Respondent shall
11 pay a penalty of \$18,000.00 and shall reimburse the Department for its enforcement costs in the
12 amount of \$5,000.00. Respondent's check shall be made payable to Department of Toxic
13 Substances Control and shall be delivered to:

14 Department of Toxic Substances Control
15 Accounting Office
16 400 P Street, 4th Floor
P.O. Box 806
Sacramento, California 95812-0806

17 A photocopy of the check shall be sent to:

18 Charlene Williams
19 Chief
20 Northern California Branch
Statewide Compliance Division
700 Heinz Avenue, Ste. 200
Berkeley, California 94710

21 G. Lynn Thorpe
22 Deputy Attorney General
1300 I Street, Ste. 1101
23 P.O. Box 944255
Sacramento, California 94244-2550

24
25 If Respondent fails to make payment as provided above, Respondent agrees to
26 pay interest at the rate established pursuant to HSC section 25360.1 and to pay all costs incurred
27 by the Department in pursuing collection including attorney's fees.

12. Effective Date: The effective date of this Consent Order is the date it is signed by the Department.

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13. Integration: This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this agreement.

Dated: June 14, 2001

Signed by
Jim Davis
Acting State Printer
State of California, Office of State Printing

Dated: June 18, 2001

Signed by
Charlene Williams, Chief
Northern California Branch
Statewide Compliance Division
Department of Toxic Substances Control